

REMARKS

Claims 1-24, 27-35, 43, 44, 48-54, and 58-68 are pending in the application.

Claims 3, 5, 6, 13, 16-23, 48, 49, 54, 58-60, and 63 are currently amended. Claims 25, 26, 36-42, 45-47, and 55-57 are cancelled without prejudice. Claim 68 is a new claim.

The office action dated March 26, 2003 contains a restriction requirement dividing the claims into Groups I through VII. Applicant elects the Group I (GuxA peptide) claims and respectfully traverses the requirement as to Groups II (polynucleotide), III (GuxA-substrate), VI (GuxA method) and VII (GuxA method), in light of the claim amendments.

The Group I claims 1-12, 14-15, 27-34, and 43-44 pertain to a GuxA peptide and fusion protein. Claims 3, 5, and 6 have been amended because multiple dependant claims may not depend from other multiple dependant claims.

As amended, the remaining Group II claims 13, 16-26, and 48-54 now also pertain to the Gux A peptide of Group I. Amendments have been made to claims 13, 16-23, 48, and 49 for this purpose, and now reflect the Group I peptide. Group II claims 25, 26, and 36-42 are provisionally cancelled without prejudice. Reinstatement of claims 25, 26, and 36-42 is requested because these nucleotides are used to produce the Group I polypeptides.

Applicant traverses the restriction requirement for the Group III claim 35 because the combination of the GuxA peptide of Group I is not distinct from the combination of the Gux A peptide with a substrate. This is because the GuxA peptide of Group I is inherently included with the combination recited in claim 1.

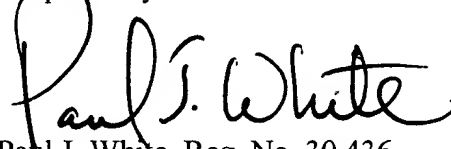
The Group VI and Group VII claims have been amended to reflect the clarification requested in the second full paragraph on page 4 of the office action. Specifically, the activities of degrading (claims 58, 59, and 60) and reducing (claim 63) are amended to reflect hydrolyzing activity, for example, as reflected on page 4 at lines 12-21 of the specification.

The initial application, as filed, contained two claims 24, and the Examiner has not renumbered the claims to reflect this duplication. The current amendments cancel the second copy of claim 24 and reassert the claim as new claim 68.

For the reasons explained above, the remaining claims of Groups II, III, VI and VII fall with the purview of the Group I claims. Restriction would now be improper in light of the amendments, so Applicant requests withdrawal of the restriction requirement as to these claims.

Applicants' attorney respectfully solicits a Notice of Allowance in this application. The Commissioner is authorized to charge any additionally required fees to deposit account 14-0460. Should the Examiner have any questions, comments, or suggestions that would expedite the prosecution of the present case to allowance, Applicants' undersigned representative earnestly requests a telephone call at (303) 384-7575.

Respectfully submitted



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